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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/930,665	HERLE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Duc C. Ho	2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 03-05-07.
2. ☒ The allowed claim(s) is/are 1, 3-8, 10-20. Renumbered 1-18, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>5-25-07</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other _____.  |

### **EXAMINER 'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John T. Mockler on 05-24-07.

The application has been amended as follows:

In the claims:

1. (Currently Amended) For use in communications system coupled to a packet network, a packet relay for improving bandwidth utilization comprising:

a connection to a wireless link;

a connection to the packet network, wherein the packet network lacks packet aggregation and fragmentation at intermediate nodes therein; and

a packet relay controller intercepting traffic between the wireless link and the packet network and re-formatting the intercepted traffic to employ a first maximum transmission unit size for intercepted traffic forwarded to the packet network and a second maximum transmission unit size for intercepted traffic forwarded to the wireless link,

wherein the first maximum transmission unit size is larger than the second maximum transmission unit size.

15. (Currently Amended) For use in communications system coupled to a packet network, a method of improving bandwidth utilization comprising:

intercepting traffic from a wireless link to the packet network, wherein the packet network lacks packet aggregation and fragmentation at intermediate nodes therein;

re-formatting the intercepted traffic to employ a first maximum transmission unit size different than a second maximum transmission unit size of the intercepted traffic;

forwarding the re-formatted traffic to the packet network;

intercepting traffic from the packet network to the wireless link; and

re-formatting the intercepted traffic from the packet network to the wireless link to employ the second maximum transmission unit size.

***Reason for Allowance***

2. Regarding claims 1, 3-8, and 10-14, the prior art fails to teach or suggest for use in communications system coupled to a packet network, a packet relay for improving bandwidth utilization comprising: a connection to the packet network, wherein the packet network lacks packet aggregation and fragmentation at intermediate nodes therein; and a packet relay controller intercepting traffic between the wireless link and the packet network and re-formatting the intercepted traffic to employ a first maximum transmission unit size for intercepted traffic forwarded to the packet network and a second maximum transmission unit size for intercepted traffic forwarded to the wireless link, in combination with other limitations, as specified in the independent claims 1, and 8.

Regarding claims 15-20, the prior art fails to teach or suggest for use in communications system coupled to a packet network, a method of improving bandwidth utilization comprising the steps of intercepting traffic from a wireless link to the packet network, wherein the packet network lacks packet aggregation and fragmentation at intermediate nodes therein; re-formatting the intercepted traffic to employ a first maximum transmission unit size different than a second maximum transmission unit size of the intercepted traffic; re-formatting the intercepted traffic from the packet network to the wireless link to employ the second maximum transmission unit size, in combination with other limitations, as specified in the independent claims 9, and 14.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

A handwritten signature in black ink, appearing to read "Duc Ho", is written over the printed name.

Duc Ho

05-24-07